UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/630,714	07/31/2003	Keisuke Yoshida	1046.1297	1592

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EXAMINER
BATAILLE, PIERRE MICHE

ART UNIT	PAPER NUMBER
2186	

MAIL DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/630,714	YOSHIDA, KEISUKE
	Examiner	**Art Unit**	
	Pierre-Michel Bataille	2186	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>16 October 2007</u>.

2a)☐ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-17</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-17</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   The present Office Action responds to Applicant's communication filed 16

October 2007. Claims 1-17 are pending in the application under prosecution.

Response to Arguments

2.   Applicant's arguments have been fully considered and are persuasive. The

previous rejection has been withdrawn. However, upon further consideration, a new

ground(s) of rejection is made in view of newly discovered reference patented to

Tanaka (US patent No. 6,738,966).

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 1-2, 4-6, 8-10, 12-14, and 16-17 are rejected under 35 U.S.C. 103(a) as

being unpatentable over US 6,117,186 (Wydall et al) in view of US 6,738,966 (Tanaka).

With respect to claims 1, 5, 9, 13, and 17, Wydall discloses the invention as

claimed, an information processing system comprising: a first storage module storing

step information containing parameters *(WIN.INI, SYSTEM.INI, AUTOEXEC.BAT,*

CONFIG.SYS, executable files run from CD-ROM to control the initial operation of

a program); a second storage module storing values of the parameters

(predetermined data file storing parameters to scale the program such as size

and rate, e.g. data.mnu or cdnav.ini file or a line in WIN.INI); and a module

executing steps specified by the step information that identify the value of the parameter

(execution program run carrying instructions to optimize the size and/or frame

rate according to specified parameters values). (See Col. 6, Line 30 to Col. 7, Line

3; Col. 7, Line 33 to Col. 8, Line 44). Wydall fails to specifically disclose a module

executing steps that replaces a parameter of the step information with a value of the

parameter. However, Tanaka discloses compiling device, computer-readable recording

medium on which a compiling program is recorded and a compiling method where

formal parameters are replaced with variables generated inside a compiler, wherein: the

compiling device includes a register parameter replacing unit that, when formal

parameters that should use registers exist, generates substitution instructions for

substituting temporary variables for the values of each formal parameter used in the

functions, and inserts each of the generated substitution instructions at the start of a

corresponding function, and replaces all of the formal parameter values in the functions

with the temporary variables indicated by the substitution instructions. [Col. 4, Lines 1-

13; Col. 2, Lines 48-55; Col. 8, Line 6-26]. Therefore, it would have been obvious to one

having ordinary skill in the art to have the module executing steps that replaces a

parameter of the step information with a value of the parameter, as is in the case in

Tanaka, in combination with the information processing, as taught by Wydall, because

the combination would have provided an improve system having configuration tools that

may be used to apply changed configuration file to the component directly (i.e. without

restarting or re-initializing the component). The combination is proper because Tanaka

discloses the compiling device further includes a register parameter replacing unit that,

when formal parameters that should use registers exist, generates substitution

instructions for substituting temporary variables for the values of each formal parameter

used in the functions, and inserts each of the generated substitution instructions at the

start of a corresponding function, and replaces all of the formal parameter values in the

functions with the temporary variables indicated by the substitution instructions.

With respect to claims 2,4, 6, 8, 10, 12, 14 and 16, Tanaka discloses the

information system configuring predetermined target system by combining a plurality of

subsystems, and the parameters is characteristic information that adapts said

subsystem to the target system; and the system accepting values setting with respects

to the parameters and the system judging whether the values with the setting accepted

can be applied to said target system [Col. 8, Lines 6-26; Col. 4, Lines 1-13]; Wydall

additionally discloses the information system configuring predetermined target system

by combining a plurality of subsystems, and the parameters is characteristic information

that adapts said subsystem to the target system; and the system accepting values

setting with respects to the parameters and the system judging whether the values with

the setting accepted can be applied to said target system [Col. 9, Lines 21-45].

With respect to claims 5, 7, 11, and 15, Tanaka discloses the invention as claimed, said system comprising a module decrypting the information encrypted [Col. 8, Lines 6-26; Col. 4, Lines 1-13].

Conclusion

5.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 2003/0233385 (Srinivasa et al) teaching server change operations for a collection of server objects where configuration file entries are specified in a transaction package and target servers to which the specified change operation are directed are also identified in the transaction package and parameter values for each of the identified target servers are specified through a parameter file in the transaction package.
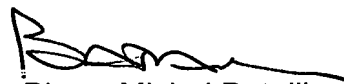
Contact Information

6.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pierre-Michel Bataille whose telephone number is (571) 272-4178. The examiner can normally be reached on Mon, Tue-Fri (8:00A to 5:30P).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew M. Kim can be reached on (571) 272-4182. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Pierre-Michel Bataille
Primary Examiner
Art Unit 2186